

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

ENTROPIC COMMUNICATIONS, LLC,

Plaintiff

v.

CHARTER COMMUNICATIONS, INC.,

Defendant.

Civil Action No. 2:22-cv-00125-JRG

JURY TRIAL DEMANDED

**DECLARATION OF ELIZABETH LONG IN SUPPORT OF CHARTER'S
MOTION FOR PARTIAL SUMMARY JUDGMENT OF NO PRE-SUIT DAMAGES**

I, Elizabeth Long, declare as follows:

1. I am counsel with the law firm Arnold & Porter Kaye Scholer LLP, counsel for Charter Communications, Inc. in the above captioned action. The statements made herein are of my own knowledge and, if called upon to testify thereof, I could and would do so competently.
2. I make this declaration in support of Charter's Motion for Partial Summary Judgement of No Pre-Suit Damages.

3. **Exhibit A** is a true and correct copy of an excerpted transcript of the [REDACTED]

[REDACTED].

4. **Exhibit B** is a true and correct copy of the [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

5. **Exhibit C** is a true and correct copy of an excerpted transcript of the [REDACTED]

[REDACTED].

6. **Exhibit D** is a true and correct copy of an excerpted transcript of the [REDACTED]

[REDACTED].

7. **Exhibit E** is a true and correct copy of a notice, pursuant to *Arctic Cat Inc. v. Bombardier Recreational Prods. Inc.*, 876 F.3d 1350 (Fed. Cir. 2017), from Charter to Entropic, dated June 27, 2023.

8. **Exhibit F** is a true and correct copy of a response from Entropic to Charter's *Arctic Cat* notice, dated June 30, 2023.

9. **Exhibit G** is a true and correct copy of email correspondence from Charter to Entropic, dated July 17, 2023.

10. **Exhibit H** is a true and correct copy of excerpts of the Rebuttal Expert Report of Dr. Kevin C. Almeroth Regarding Non-Infringement, dated August 11, 2023.

11. **Exhibit I** is a true and correct copy of the September 11, 2023 Declaration of Kevin C. Almeroth.

12. **Exhibit J** is a true and correct copy of excerpts of the Expert Report of Dr. Kevin Almeroth Regarding Licensing and Non-Infringing Alternatives, dated July 21, 2022.

13. **Exhibit K** is a true and correct copy of an excerpted transcript of the [REDACTED]

[REDACTED].

14. **Exhibit L** is a true and correct copy of excerpts of the Expert Report of Dr. Richard A. Kramer Concerning Infringement of U.S. Patent No. 8,223,775 and U.S. Patent No. 9,210,362, dated July 21, 2023.

15. **Exhibit M** is a true and correct copy of an excerpted transcript of the August 17, 2023 deposition of Richard A. Kramer.

16. **Exhibit N** is a true and correct copy of an excerpt of Plaintiff's Disclosure of Asserted Claims and Infringement Contentions and Document Production Accompanying Disclosure Pursuant to P.R. 3-1 & 3-2, dated July 5, 2022

17. **Exhibit O** is a true and correct copy of an excerpted transcript of the [REDACTED]
[REDACTED].

18. **Exhibit P** is a true and correct copy of excerpt of Plaintiff Entropic Communications, LLC's Responses to Defendant Charter Communications, Inc.'s Fifth Set of Interrogatories to Plaintiff (Nos. 27-31), dated July 20, 2023.

I declare under penalty of perjury that the above is true and correct.

Dated: September 11, 2023

Respectfully submitted,

/s/ Elizabeth Long
Elizabeth Long